

**Maine Revised Statutes**  
**Title 7: AGRICULTURE AND ANIMALS**  
**Chapter 417: MARIJUANA LEGALIZATION ACT**

**§2452. PERSONAL USE OF MARIJUANA**

**1. Person 21 years of age or older.** A person 21 years of age or older may:

A. Use, possess or transport marijuana accessories and use, possess or transport up to 2 1/2 ounces of marijuana or a combination of marijuana and marijuana concentrate, which may include no more than 5 grams of marijuana concentrate; [2017, c. 1, §14 (AMD).]

B. Transfer or furnish, without remuneration, up to 2 1/2 ounces of marijuana or a combination of marijuana and marijuana concentrate, which may include no more than 5 grams of marijuana concentrate, and up to 6 immature plants or seedlings to a person who is 21 years of age or older; [2017, c. 1, §14 (AMD).]

C. Possess, grow, cultivate, process or transport up to 6 flowering marijuana plants, 12 immature plants and unlimited seedlings, and possess all the marijuana produced by the plants at the adult's residence; [2015, c. 5, §1 (NEW).]

D. Beginning February 1, 2018, purchase up to 2 1/2 ounces of retail marijuana and marijuana accessories from a retail marijuana store; and [2017, c. 1, §14 (AMD).]

E. Beginning February 1, 2018, purchase up to 12 seedlings or immature plants from a retail marijuana cultivation facility. [2017, c. 1, §14 (AMD).]

[ 2017, c. 1, §14 (AMD) .]

**2. Home cultivation.** The following provisions apply to the home cultivation of marijuana for personal use by a person who is 21 years of age or older.

A. A person may cultivate up to 6 flowering marijuana plants at that person's place of residence, on property owned by that person or on another person's property with written permission of the owner of the property. [2015, c. 5, §1 (NEW).]

B. A person who elects to cultivate marijuana shall ensure the marijuana is not visible from a public way without the use of binoculars, aircraft or other optical aids and shall take reasonable precautions to prevent unauthorized access by a person under 21 years of age. [2015, c. 5, §1 (NEW).]

[ 2015, c. 5, §1 (NEW) .]

**3. Legible tag on each marijuana plant.** A person 21 years of age or older must have a legible tag on each marijuana plant. The tag must include at least the person's name and Maine driver's license number or Maine identification number.

[ 2015, c. 5, §1 (NEW) .]

**4. Exemptions.** The following exemptions apply.

A. Marijuana cultivation for medical use is not considered cultivation for personal use under this chapter and is governed by Title 22, section 2423-A. [2015, c. 5, §1 (NEW).]

B. This section does not apply to cultivation by a registered dispensary licensed pursuant to Title 22, section 2428. [2015, c. 5, §1 (NEW).]

[ 2015, c. 5, §1 (NEW) .]

**5. Use.**

[ 2017, c. 1, §15 (RP) .]

**6. Personal use; violation.** The following provisions apply to the personal consumption of marijuana and marijuana concentrate.

A. A person 21 years of age or older may consume marijuana or marijuana concentrate only if that person is:

- (1) In a private residence, including curtilage; or
  - (2) On private property, not generally accessible by the public, and the person is explicitly permitted to consume marijuana or marijuana concentrate on the property by the owner of the property.
- [ 2017, c. 1, §16 (NEW) .]

B. The operator of a vehicle on a public way or a passenger in the vehicle may not consume marijuana or marijuana concentrate. As used in this paragraph, "vehicle" has the same meaning as in Title 29-A, section 101, subsection 91. [ 2017, c. 1, §16 (NEW) .]

C. A person may not consume marijuana or marijuana concentrate in a private residence or on private property used as a day care or baby-sitting service during the hours in which the residence or property is being operated as a day care or baby-sitting service. [ 2017, c. 1, §16 (NEW) .]

D. A person may not consume marijuana or marijuana concentrate in a designated smoking area as provided under the Workplace Smoking Act of 1985. [ 2017, c. 1, §16 (NEW) .]

A person who violates this subsection commits a civil violation for which a fine of not more than \$100 may be adjudged. This subsection may not be construed to shield any person from federal prosecution. This subsection may not be construed to allow any person to possess or consume marijuana on federal property.

[ 2017, c. 1, §16 (NEW) .]

**7. Possession of certain edibles.** Notwithstanding subsection 1, until February 1, 2018, a person may not possess edible retail marijuana products. This subsection does not apply to marijuana products purchased for medical use pursuant to Title 22, chapter 558-C.

[ 2017, c. 1, §16 (NEW) .]

**SECTION HISTORY**

IB 2015, c. 5, §1 (NEW). 2017, c. 1, §§14-16 (AMD).

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